

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** By Chairwoman Elsie Arntzen, on January 22, 2009  
at 3:00 P.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Elsie Arntzen, Chairwoman (R)  
Rep. Betsy Hands, Vice Chairwoman (D)  
Rep. Gary MacLaren, Vice Chairman (R)  
Rep. Arlene Becker (D)  
Rep. Gerald Bennett (R)  
Rep. Tom Berry (R)  
Rep. Robyn Driscoll (D)  
Rep. Bob Ebinger (D)  
Rep. Wanda Grinde (D)  
Rep. Robin Hamilton (D)  
Rep. Pat Ingraham (R)  
Rep. Michael More (R)  
Rep. Scott Reichner (R)  
Rep. Michele Reinhart (D)  
Rep. Diane Sands (D)  
Rep. Wayne Stahl (R)  
Rep. Gordon Vance (R)

**Members Excused:** Rep. Mike Menahan (D)

**Members Absent:** None.

**Staff Present:** Katie Butcher, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing: HB 191, HB 196, HB 231, HB 245  
Executive Action: HB 129, HB 196, HB 244, HB 191,  
HB 183, HB 245, HB 231

00:00:04 Call to Order

**HEARING ON HB 191**

**Opening Statement by Sponsor:**

00:03:24 Rep. Robyn Driscoll (D), HD 51, opened the hearing on  
HB 191, Regulate pit bulls -- grandfather clause.

[EXHIBIT\(loh15a01\)](#)

[EXHIBIT\(loh15a02\)](#)

[EXHIBIT\(loh15a03\)](#)

[EXHIBIT\(loh15a04\)](#)

**Proponents' Testimony:**

00:15:00 Douglas Ruebke, Billings, Montana

[EXHIBIT\(loh15a05\)](#)

00:17:43 Rep. Don Roberts, HD 56, Billings, Montana

00:20:30 Shelly Whittman, Ballantine, Montana

[EXHIBIT\(loh15a06\)](#)

**Opponents' Testimony:**

00:25:35 Dave Pauli, Montana Animal Care Association

[EXHIBIT\(loh15a07\)](#)

00:30:19 Troy Kechely, Think Dog Consulting, Bozeman, Montana

[EXHIBIT\(loh15a08\)](#)

00:34:00 Bridget Petrucelli, CDC

[EXHIBIT\(loh15a09\)](#)

[EXHIBIT\(loh15a10\)](#)

00:36:58 Chris Storseth

00:39:00 Rep. Menahan

00:39:50 John Hazen

00:43:04 Margaret Duezabou

[EXHIBIT\(loh15a11\)](#)

00:46:43 Gwen Massey, Gallatin County

[EXHIBIT\(loh15a12\)](#)

00:46:56 Sean Wines

[EXHIBIT\(loh15a13\)](#)

00:47:18 Julie Russell, Seattle, Washington

00:47:58 Angie McDunn, Helena, Montana

[EXHIBIT\(loh15a14\)](#)

00:48:16 Christy Dighans

[EXHIBIT\(loh15a15\)](#)

00:48:30 Jessica Barkemeyer

00:48:46 Gina Wiest, Lewis and Clark, Humane Society

[EXHIBIT\(loh15a16\)](#)

00:49:04 Terry Gauthier, Helena, Montana  
00:49:18 Dave Wood  
00:49:31 Susan Browne  
[EXHIBIT\(loh15a17\)](#)  
00:49:41 Susan Cecnle  
00:49:58 Dan Hooper  
[EXHIBIT\(loh15a18\)](#)  
00:50:20 Shane Gabriel  
[EXHIBIT\(loh15a19\)](#)  
00:50:35 Rep. Reinhart  
00:50:52 Lark Pollari, Animal Control Officer, City of Big  
Timber  
00:51:07 Loren Shriner, Missoula, Montana  
[EXHIBIT\(loh15a20\)](#)  
00:51:28 Bret Lloid  
[EXHIBIT\(loh15a21\)](#)  
00:51:42 David Aubert, Belgrade, Montana  
00:51:54 Jasmine Durnam, Belgrade, Montana  
00:52:29 Heidi Mann, Clancy, Montana  
00:52:52 Justin Marr, Missoula, Montana  
[EXHIBIT\(loh15a22\)](#)  
00:53:15 Tiffany Deaton  
[EXHIBIT\(loh15a23\)](#)  
00:53:40 Christine Wagner Derenburger, Miles City, Montana  
00:54:05 Kayla Hooey  
[EXHIBIT\(loh15a24\)](#)  
00:54:26 Cole Chretien, Three Forks, Montana  
00:54:55 Janet Moritz, Missoula, Montana  
00:55:15 Daniel Alexander Lehuta, Missoula, Montana  
00:55:36 Candace Hamlin, Bozeman, Montana  
[EXHIBIT\(loh15a25\)](#)  
00:55:50 Melody Gessele, Philipsburg, Montana  
00:56:17 Robin Layton, Helena, Montana  
00:56:27 Marita McDaniel, Superior, Montana  
00:56:39 Lorinda Niblack, Helena, Montana  
00:57:00 Julie Russell, Seattle, Washington  
00:57:13 Nicole Thompson, Stevensville, Montana  
[EXHIBIT\(loh15a26\)](#)  
00:57:34 Catherine McConnell, St. Ignatius, Montana  
00:57:56 Amanda Hodges, Charlo, Montana  
00:58:19 Christine Stiles, Helena, Montana  
[EXHIBIT\(loh15a27\)](#)  
00:58:34 Deborah Johnson, Helena, Montana  
00:58:50 Megan Hutchinson, Boulder, Montana  
00:59:08 Amy Holley, Missoula, Montana  
00:59:27 Ann Hudson, Clancy, Montana  
00:59:48 Christina Gallardo, Helena, Montana  
01:00:00 Valerie Hellermann, Helena, Montana  
01:00:18 Kyle Brown, Helena, Montana

01:00:31 Jebb Mammen, Bozeman Montana  
 01:00:50 Emily Green, Helena, Montana  
 01:01:10 James Krismer, East Helena, Montana  
 01:01:31 Sandy Goodwin, Montana City, Montana  
 01:01:47 Doug and Caroline Bright, Helena, Montana

**EXHIBIT(loh15a28)**

01:02:12 Cheri Anderson, Lewis and Clark Humane Society  
 01:02:29 Alex Tyhurst, Helena, Montana  
 01:02:54 Cyndi Nelson, Helena, Montana  
 01:03:09 Kevin Spurlock, Helena, Montana  
 01:03:24 Desaria Martinez, East Helena, Montana  
 01:03:37 Feline Fennelly  
 01:03:52 Sandra Severson, Helena, Montana  
 01:04:08 Misty Severson, Helena, Montana  
 01:04:18 Sharee Neary, Helena, Montana  
 01:04:32 Gail Holm, Helena, Montana  
 01:04:49 Jennell Hazen, Helena, Montana  
 01:05:03 Brockton Winterrowd  
 01:05:15 Mike Monaco, Missoula, Montana  
 01:05:27 Chris Bowman, Missoula, Montana  
 01:05:40 Anthony Baker, Belgrade, Montana  
 01:05:50 Ryan Douma, Belgrade, Montana  
 01:06:00 Betsy Hussey, Helena, Montana  
 01:06:11 Beau Breneman, Helena, Montana  
 01:06:26 Sheldon Tighe, Helena, Montana  
 01:06:38 Amy Jensen, Helena, Montana  
 01:06:51 Pennie Watts, Helena, Montana  
 01:07:03 Annette McReynolds, Helena, Montana  
 01:07:17 Michael F. McReynolds, Helena, Montana  
 01:07:29 Krystal Baker, Helena, Montana  
 01:07:44 Jarek Watts, Helena, Montana  
 01:07:52 Mark McDaniel, Superior, Montana  
 01:08:09 Don Myers, Huntley, Montana

**EXHIBIT(loh15a29)**

01:08:33 Melissa Copenhaver, Bozeman, Montana  
 01:09:02 Tucker Downey, Butte, Montana  
 01:09:24 Blake Hurtle, Helena, Montana  
 01:09:41 Erika Phillips, Miles City, Montana  
 01:09:59 Madeline De Candia, Lolo, Montana  
 01:10:15 Jordan Erickson, Helena, Montana  
 01:10:36 Mitsy Gelina, Helena, Montana  
 01:10:50 Amanda Grewatz, Helena, Montana  
 01:11:04 John Ross, Helena, Montana  
 01:11:17 Robin Burns, Helena, Montana  
 01:11:27 Jenn Ross, Helena, Montana  
 01:11:39 Shawna Stallings, Helena, Montana  
 01:11:55 Gina Biggers, Bozeman, Montana  
 01:12:07 Holly Groff, Missoula, Montana  
 01:12:22 Samie Jones, Bozeman, Montana

**EXHIBIT(loh15a30)**

01:12:43 Derek Jones, Belgrade, Montana  
01:12:55 Cassandra Rankin, Helena, Montana  
01:13:07 Lisa Thomas, Butte, Montana  
01:13:18 Joe Stavinoha, Butte, Montana  
01:13:32 Jeff Watts, Helena, Montana  
01:13:55 Amber Jones, Helena, Montana

**Informational Testimony:**

01:14:29 Anita Roessmann, Disability Rights Montana  
[EXHIBIT\(loh15a31\)](#)

**Questions from Committee Members and Responses:**

01:15:25 Rep. Reinhart  
01:16:00 Joe Kolman, Legislative Services Division  
01:16:55 Rep. Sands  
01:17:02 Mr. Kolman  
01:17:14 Rep. Bennett  
01:17:35 Mr. Reubke  
01:18:05 Chairman Arntzen  
01:18:08 Rep. Reinhart  
01:18:22 Rep. Driscoll  
01:18:25 Rep. Reinhart  
01:18:38 Rep. Driscoll  
01:19:10 Chairman Arntzen

**Closing by Sponsor:**

01:19:23 Rep. Driscoll  
  
01:20:23 Chairman Arntzen  
  
01:20:52 Break  
01:28:38 Reconvened  
  
01:29:00 Rep. Sands  
01:29:49 Rep. Berry

**HEARING ON HB 245**

**Opening Statement by Sponsor:**

01:30:14 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 245, Authorize counties to create compensated absence fund.

**Proponents' Testimony:**

01:32:41 Sheryl Wood, Montana Association of Counties  
01:34:12 Linda Stoll, Missoula County

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:34:51 Rep. Stahl  
01:35:08 Ms. Wood  
01:35:17 Rep. Stahl  
01:35:25 Ms. Wood  
01:35:33 Rep. Stahl  
01:35:57 Chairwoman Arntzen  
01:36:09 Ms. Wood  
01:36:59 Chairwoman Arntzen  
01:37:09 Ms. Wood  
01:37:35 Rep. Reinhart  
01:37:42 Ms. Wood

**Closing by Sponsor:**

01:37:57 Rep. Ankney

**HEARING ON HB 196**

**Opening Statement by Sponsor:**

01:38:51 Rep. Bob Ebinger (D), HD 62, opened the hearing on HB 196, Revise percentage required to create RID.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:40:47 Rep. Ebinger

**HEARING ON HB 231**

**Opening Statement by Sponsor:**

01:41:08 Rep. Bill Glaser (R), HD 44, opened the hearing on HB 231, Revise laws on incorporation of cities and towns.

**Proponents' Testimony:**

01:46:56 Alec Hansen, Montana League of Cities and Towns

01:50:43 Linda Stoll, Montana Association of Planners

01:51:18 Rep. Robin Hamilton, HD 92, Missoula

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:51:51 Rep. Reinhart

01:52:05 Mr. Hansen

01:53:09 Rep. Ebinger

01:53:30 Mr. Hansen

01:55:08 Rep. Ebinger

01:55:17 Chairwoman Arntzen

01:55:33 Mr. Hansen

01:56:56 Chairwoman Arntzen

01:57:02 Rep. More

01:57:21 Rep. Glaser

**Closing by Sponsor:**

01:57:33 Rep. Glaser

02:02:24 Chairwoman Arntzen

02:03:35 Break

02:18:42 Reconvene

02:19:37 Mr. Kolman

02:21:43 Chairwoman Arntzen

**EXECUTIVE ACTION ON HB 129**

02:21:46 **Motion:** Rep. Reinhart moved that **HB 129 DO PASS AS AMENDED.**

**Discussion:**

02:24:02 Rep. Ingraham

02:25:03 **Vote:** Motion carried 17-1 by voice vote with Rep. More voting no.

**EXECUTIVE ACTION ON HB 244**

02:25:47 **Motion/Vote:** Rep. MacLaren moved that **HB 244 DO PASS.** Motion carried 17-1 by voice vote with Rep. Stahl voting no.

**EXECUTIVE ACTION ON HB 196**

02:26:42 **Motion:** Rep. Ebinger moved that **HB 196 DO PASS.**

**Discussion:**

02:27:12 Mr. Kolman

02:27:18 Rep. Ebinger

02:27:30 Mr. Kolman

02:27:41 **Vote:** Motion failed unanimously by voice vote.

02:27:54 **Motion/Vote:** Rep. Hamilton moved that **HB 196 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 191**

02:28:10 **Motion/Vote:** Rep. Driscoll moved that **HB 191 DO PASS.** Motion failed 1-17 by voice vote with Rep. Driscoll voting aye.

02:29:36 Chairwoman Arntzen

02:29:40 Rep. Reinhart

02:30:13 Chairwoman Arntzen

02:30:15 Rep. Reinhart

02:30:25 Chairwoman Arntzen

02:30:32 Rep. Stahl

**EXECUTIVE ACTION ON HB 183**

02:31:02 **Motion/Vote:** Rep. Reinhart moved that **HB 183 DO PASS.** Motion failed unanimously by voice vote.



02:31:23 **Motion/Vote:** Rep. Reinhart moved that **HB 183 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

02:31:49 Rep. Becker

**EXECUTIVE ACTION ON HB 191**

02:32:19 **Motion/Vote:** Rep. Becker moved that **HB 191 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 245**

02:32:50 **Motion/Vote:** Rep. Stahl moved that **HB 245 DO PASS**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 231**

02:33:42 **Motion:** Rep. Stahl moved that **HB 231 DO PASS**.

**Discussion:**

02:33:55 Rep. Ebinger

02:34:36 Chairwoman Arntzen

02:34:44 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 156**

02:34:55 **Motion:** Rep. Stahl moved that **HB 156 DO PASS**.

**Discussion:**

02:35:23 Chairwoman Arntzen

02:35:59 **Motion:** Rep. Stahl moved that **HB 156 BE AMENDED**.  
[EXHIBIT\(loh15a32\)](#)

**Discussion:**

02:36:12 Mr. Kolman

02:38:20 Rep. Sands

02:38:34 Mr. Kolman  
02:39:25 Rep. Hands  
02:39:44 Mr. Kolman  
02:40:09 Rep. Hands  
02:40:42 Rep. Reinhart  
02:40:50 Mr. Kolman  
02:41:04 Rep. Reinhart  
02:42:32 Rep. Hands  
02:42:55 Rep. Reinhart  
02:43:57 Rep. Stahl  
02:45:03 Rep. More  
02:45:41 Rep. Stahl  
02:46:05 Rep. More  
02:46:44 Rep. Stahl  
02:47:10 Rep. Reinhart  
02:48:04 Rep. More  
02:48:20 Rep. Reichner  
02:49:13 Rep. Reinhart  
02:49:56 Chairwoman Arntzen  
02:50:39 Rep. Stahl  
02:51:26 Chairwoman Arntzen  
02:51:51 Rep. Reinhart  
02:52:21 Rep. Menahan  
02:53:55 Chairwoman Arntzen  
02:54:00 Rep. Hamilton  
02:54:05 Chairwoman Arntzen  
02:54:07 Rep. Stahl withdrew his motion of do pass on HB 156 and  
the amendment without objection.  
02:54:25 Chairwoman Arntzen  
02:54:29 Rep. Sands  
02:54:55 Chairwoman Arntzen

**ADJOURNMENT**

02:55:09 Adjournment

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Katie Butcher, Secretary

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**Additional Documents:**

Documents handed in by opposition to HB 191

Additional Documents:

**EXHIBIT ([loh15aad.pdf](#))**